

712

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED PUBLIC MEETING  
Monday, November 12, 1990  
7:30PM**

The meeting was called to order by Chairman William H. Bennett, Jr. at 7:35PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman  
Betty J. Kelly, Supervisor  
Lee Buchanan-Gregory, Acting Township Manager  
Francis X. Grabowski, Township Solicitor  
Sgt. Ashby Watts, Police Department  
Eric Applegate, Build.Inspect./Zoning Officer

Chairman Bennett announced the Public Hearing scheduled for 8:30pm regarding the draft of the Comprehensive Plan.

Chairman Bennett reported Chief of Police, George Egly remains in the hospital, though he has been transferred from Grand View Hospital to the University of Pennsylvania Hospital, where he is undergoing tests. At this point, it is not known whether Chief Egly will require further surgery. Sgt. Watts advised as of this afternoon, Chief Egly is doing quite well.

A. APPROVAL OF MINUTES: Chairman Bennett advised two sets of minutes are up for approval this evening - the minutes of October 8, 1990 and the minutes of October 22, 1990.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously, to approve the minutes of the October 8, 1990 Board of Supervisors minutes as corrected.

Chairman Bennett advised on page five, first paragraph, Mr. Frank Dulski's name was spelled incorrectly, and on page eleven, paragraph six, the word should be "accolade", not "accomodation".

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to approve the minutes of the October 22, 1990 Board of Supervisors meeting as corrected.

B. APPROVAL OF CURRENT BILLING: Chairman Bennett advised the current billing, for the period ending November 12, 1990, totalled \$154,000.00. However, \$85,200.00 of that amount was for the Fire Departments, based on the three mill Fire Tax, which is a once a year distribution. Chairman Bennett also pointed out an amount on the bills list for \$38,410.00 for health insurance, which is a twice a year payment. Chairman Bennett mentioned the Township had switched health insurance on November 1, 1990, with an anticipated annual savings of approximately \$30,000.00 over the previous insurer. Chairman Bennett advised

ESCROW FUND - CHECKING	
Beginning Balance	28,047.54
Receipts	.00
Disbursements	.00
End of Month Balance	28,047.54
FIRE PROTECTION FUND	
Beginning Balance	95,997.17
Fund Balance Forwarded	
Jan. 1, 1990	15,248.93
Receipts	647.29
Disbursements	85,206.44
End of Month Balance	26,686.95

Chairman Bennett directed Ms. Buchanan-Gregory to investigate the past two statements. At the end of September, the General Fund ending balance was shown at \$169,000.00 and in October, the General Fund beginning balance was shown at \$171,000.00. Chairman Bennett did not understand why these two totals were not the same.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to accept the Treasurer's Report subject to audit.

D. RESIDENT'S COMMENTS ON AGENDA ITEMS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Mrs. Press - Mrs. Press was before the Board to ask for clarification of the new policy to re-use tapes of minutes of proceedings of the Board of Supervisors meetings. Chairman Bennett advised storage of these tapes was becoming a problem. Also, Chairman Bennett explained once taped minutes have been transcribed to typewritten form and have been accepted and approved by the Board of Supervisors, the typewritten form then becomes the official minutes of the meeting and a legal document. Mrs. Press stated that she understood this, however, she felt in a controversial situation, actual tape recordings of the meetings would be helpful. Chairman Bennett advised this policy is an optional decision which has been reached by this Board of Supervisors. Chairman Bennett also explained there are many municipalities which do not tape record their meetings at all. Before this decision had been reached, research of area municipalities show many Township's already follow this same policy.

Mrs. Press stated she felt the Comprehensive Plan up for review and possible adoption this evening, is very ambiguous and she would like to see a bit more specificity in the plan. Chairman Bennett invited Mrs. Press to remain for the Public Hearing, beginning at 8:30PM, to voice her opinions.

716

3) The Township agrees to pay the engineer's fee of \$1,300.00 for the survey and plot plan already made of the property.

4) The Hilltown Civic Association will appoint a three member work group to work with the Park and Recreation Board to plan improvements on the site.

5) The name of the field is to be chosen by the Hilltown Civic Association.

Supervisor Bennington questioned why a three member work group would need to be appointed when there are already two active Civic Association members on the Park and Recreation Board. Mr. Allen advised this was a concern and request expressed by the Directors of the Civic Association.

Supervisor Kelly questioned the reasoning for point #5 regarding the naming of the field. Chairman Bennett advised he believes this request would be for a small sign stating the field had been donated to Hilltown Township by the Hilltown Civic Association.

Supervisor Bennington asked if the Board agrees to point #1 regarding donating \$3,000.00 per year to a scholarship fund, could it be co-administered by Hilltown Township and Hilltown Civic Association. Mr. Allen does not know if that is the intent of the Civic Association, and this suggestion would need to be discussed with the Civic Association. Chairman Bennett, who is currently President of the Civic Association, stated it has been suggested to the Civic Association to expand their donations from \$50.00 war bonds given to the community elementary schools, to a significant scholarship fund to the outstanding senior or seniors at Penridge High School, who are also Hilltown Township residents. Supervisor Bennington then suggested a three person scholarship committee, composed of one Supervisor and two members of the Civic Association, to make the decisions for granting the scholarship money.

Supervisor Kelly suggested accepting this Recommendation conditionally, with the option of revising or rewording the Recommendation itself, after Board discussion. Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to table Recommendation #90-15 for further review.

F. MANAGER'S REPORT - Ms. Lee Buchanan-Gregory, Acting Township Manager

Ms. Buchanan-Gregory introduced the new full-time Building Inspector/Zoning Officer, Mr. Eric Applegate, who began employment with Hilltown Township on Monday, November 5, 1990.

Supervisor Kelly stated she has gotten many calls from resident's who have received their recycling buckets, but since they were delivered with no recycling information, do not know what to do with the buckets. Mr. Jack Fox, Chairman of the Recycling Committee advised under Act 101, the Recycling Ordinance by the State, the municipality was required to send information through the mail, no less than 30 days before bucket distribution. An information letter was sent to all Hilltown Township property owners within that proper time frame, however it seems many people did not read the letter, or have not received it. Each trash hauler will be notifying it's customers, stating what items have been selected for recycling, the frequency of the collection, and what day they will collect recyclables. Mr. Fox suggested the Board of Supervisors mention the recycling program in the quarterly Township Newsletter coming out shortly.

H. POLICE CHIEF'S REPORT - Sgt. Ashby Watts -

Sgt. Watts read the Police Chief's Report for the month of October, 1990. This report is on file at the Township office.

Chairman Bennett stated the Board had asked the Police Department for a comparative update on crime statistics between 1989 and 1990 in Hilltown Township. Sgt. Watts presented an overhead providing the comparative statistics report between 1989 and 1990, and answered questions posed by the Board.

8:25PM - At this time, Chairman Bennett called for a five minute recess before the Public Hearing for the Draft of the Comprehensive Plan.

I. PUBLIC HEARING - Draft - Comprehensive Plan (8:36PM) -

Chairman Bennett asked Mr. Jack Fox, Chairman of the Planning Commission and Mr. Carter Van Dyke, Hilltown Township's consultant on this project, to approach the podium to explain the changes which have taken place in the Comprehensive Plan since the previous Plan was drawn in 1983.

Mr. Fox explained the Planning Commission has been reviewing the Comprehensive Plan and the Zoning Ordinance for approximately three years. Mr. Fox stated the Comprehensive Plan is a document which states the objectives, goals, concepts and the projected growth of the community. The law to implement and enforce this is the Zoning Ordinance.

Future development areas were discussed. Mr. Fox explained the Light Industrial Zoning District total area is down to approximately 25 acres of land. The Planning Commission Board in their review, are requesting the Board of Supervisors increase the Light Industrial Zoning District land. To accomplish this,

Industrial area proposed on Rt. 309, which is near a Village Center. Mr. Grunmeier asked if this Plan is indeed adopted as a Light Industrial area, what type of industries should go in. Mr. Van Dyke advised the type of industry most likely proposed would be offices and warehouse space. Adequate buffer provisions are also intended against Heavy Industrial type use. Mr. Grunmeier asked Mr. Van Dyke's opinion on whether it was good planning to propose a Light Industrial area next to a Village Center. Mr. Van Dyke replied, as a planner, if there is adequate buffer, particularly if there is not frontage off the same road, it is good planning. The biggest conflict from the planning perspective is often generated by traffic. This way making use of the highest intense uses will take access off the most heavily traveled corridor of Rt. 309. This is also an area which has public water and public sewer, which is good planning. Mr. Van Dyke stated the Village Commercial district takes access off another road, and with the buffer conditions which are recommended, the area will be well screened and well protected.

Ms. Lynn Balzer, of Old Bethlehem Road asked if the proposed plan calls for replacing Commercially zoned land on Rt. 309, with Industrial. Mr. Fox answered there is still Commercial land available in this area and pointed it out on the map. Ms. Balzer asked how much the population has increased since 1983. Mr. Fox stated the census figures have not yet been received, however, he would guess the population went from approximately 11,000 to 14,000, since 1983. A big development period took place in 1986 through 1988.

Ms. Balzer asked the future plans for Rt. 313 as far as zoning areas go. Mr. Fox stated Rt. 313 has been Planned Commercial for some time. Ms. Balzer commented the zoning of Rt. 313 should be something other than Residential. Supervisor Bennington advised he spoke to Mr. Bob Moore of the Bucks County Planning Commission, who indicated they had thought Rt. 313 may become a four lane highway within the next twenty years, from the Dublin area to Quakertown.

Mr. Jim Gill, Chief of Hilltown Fire Company, questioned if Emergency Management and mass evacuation routes had been taken into consideration when the proposed Comprehensive Plan was drafted. Mr. Fox asked how many homes are in the Village, on both Hilltown Township's side and New Britain Township's side. Mr. Gill answered approximately 68 homes are involved in that general area. Mr. Fox stated he understands Mr. Gill's concern, however, this area appears to be the only logical choice for Industrial land.

Supervisor Bennington advised he received a letter from Ms. Lynn Froelich of Carter Van Dyke, stating "As an example, I

122

Van Dyke stated one idea which is an option being discussed is community systems, which will be separate and distinct from existing public sewer systems.

Mr. Fox agreed with Mr. Van Dyke's idea of keeping enough open space in the Rural Residential districts. Mr. Allen stated open space is very important to the Park and Recreation Board also, and advised the Township has floated a bond, and there is monies earmarked for acquiring open space, if and when desirable open space becomes available to the Township. Mr. Allen asked if the proposed Comprehensive Plan has an affirmative policy of actively trying to acquire open space. Mr. Van Dyke advised this policy will be incorporated into the proposed Comprehensive Plan. Mr. Fox stated if a developer subdivides, it is required they give the Township open space on an average of fifty percent. Twenty five percent of that has to be usable space for recreational use.

Mr. John Brennan, member of the Hilltown Township Planning Commission, stated the proposed Comprehensive Plan has been researched and reviewed for a long time. Mr. Brennan praised and thanked Mr. Jack Fox for all the time, energy and effort he has personally put into presenting this plan for adoption.

Mr. Bill Godek questioned the restructuring of the area of the quarry located in Blooming Glen on the proposed Plan map. Mr. Fox stated to his knowledge, it is the same map in the current Comprehensive Plan. Mr. Fox stated the area across the street is not Quarry district, it is Land Fill district.

Mr. Bob Grunmeier asked Ms. Lynn Froelich for confirmation of her letter dated December 28, 1988, regarding Light Industrial District being located in the Fairhill area. Mr. Grunmeier quoted Ms. Froelich from this letter stating -"I would eliminate this site just on the basis of access. I have seen proposals for Light Industrial development where the only access is by way of a local residential street. This becomes a difficult situation because of traffic and trucks causing danger and inconvenience to the residents." Mr. Grunmeier asked how they will access this particular proposed area.

Ms. Froelich advised the comments Mr. Grunmeier quoted were based upon a proposal that came from the Planning Commission, for a Light Industrial District, which went to Fairhill School Road, where the access was only from Fairhill School Road. Ms. Froelich stated her comment was that if the only access would be Fairhill School Road, which is not a major artery, it is not a good idea. Ms. Froelich advised the present configuration is somewhat different from the configuration she was commenting on. Mr. Grunmeier asked where the access area will be. Mr. Fox stated access will be off Rt. 309 Spur, as it appears now.

724

Mr. Seidel asked who maintains the open space. Mr. Fox advised if the Township wants the open space, they must maintain it. If the Township does not want the open space, the resident's of that particular development maintain it. Mr. Seidel stated the Township has open space now, which is not maintained by the Township. Chairman Bennett advised the Township has approximately 40 acres of open space. There is only one decent piece of open space, on the corner of Callowhill Road and Rt. 113, which encompasses approximately 10 acres. This property is currently being farmed by Mr. Calvin Weikel. Chairman Bennett stated the remaining five or six acre parcels of open space areas owned by the Township, have been deemed to be relatively worthless as far as the Park and Recreation Board is concerned, and the Township would like to dispose of them. More recently, because of the developments in Silverdale, Chairman Bennett advised, there is 27 acres of open space available there.

Mr. Ken Steigelman, Line Lexington, stated he recognizes the need for updating the Comprehensive Plan, however, he questions the Light Industrial area along the Kevin Carney Tract. Mr. Steigelman advised he has an office north of that site. Mr. Steigelman stated he feels Industrial properties will open up a use which he feels would not be appropriate for that site. There are a number of freight terminals looking for sites along Rt. 309, and they may be likely candidates for that property. Mr. Steigelman feels increased truck traffic would only worsen the Rt. 309 traffic situation as it now exists. Mr. Steigelman stated if the change is to be made, consideration should be given to a mixed-use ordinance, to eliminate "truck terminal" as one of those uses. Mr. Steigelman explained approximately a year ago, his office, along with a land planner, compiled an ordinance which took into account all the Light Industrial uses, but rephrased it to be called "Light Industrial Restricted Commercial District" or "Business Use". The purpose of this was to provide Light Industrial uses, as well as creating the opportunity for certain businesses that require high visibility to control the number of access points and to prohibit intensive commercial uses, such as shopping centers. Mr. Steigleman agrees with Ms. Froelich that a better location for Industrial activity is in the northwest quadrant of the Township, where similar uses exist in West Rockhill Township, on Township Line Road, and also on Keystone Drive. This would facilitate direct access to Rt. 309 bypass. There is also presently public sewer in the area, with public water forthcoming. Mr. Steigleman advised this whole neighborhood has the same general character of the kinds of uses that are trying to be attached to the Township. Mr. Steigleman felt a mixed use consideration should be given to the Kevin Carney tract, yet eliminate the heavy truck usage that is now currently in the Light Industrial zone.

Plan must be approved this evening, further review would seem prudent, given the controversy.

Mr. Louis Walsh wished to discuss the water/well situation, and stated he has, in the past, sold a tract of land with ten lots. The lots were 100 feet by 250 feet. The wells averaged from 60 feet to 120 feet. Each of these wells still have water. Chairman Bennett advised of two wells which have gone dry on Fairhill Road, just above his residence, in the past month. Also, Mr. Walsh does not agree with the proposed zoning change requiring three acres of ground.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington, and carried unanimously to table this issue until further discussion can take place, with a decision being rendered at the Board of Supervisor's meeting of November 26, 1990.

Public Hearing Closed - 10:55PM

J. SOLICITOR'S REPORT - Mr. Francis Grabowski, Township Solicitor -

Mr. Grabowski presented two Resolutions to the Board of Supervisor. Resolution #90-37 is a Deed of Dedication on the (Paul Wismer) H.L. Garges Subdivision, which is a two lot minor subdivision located on Keystone Drive. Resolution #90-38 is a Declaration of Public Purpose for the (Paul Wismer) H.L. Garges Subdivision.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to accept Resolution #90-37 for Deed of Dedication of H.L. Garges Subdivision, and Resolution #90-38 for Declaration of Public Purpose for H.L. Garges Subdivision.

K. CORRESPONDENCE:

1. Ms. Buchanan-Gregory advised the Board of Supervisors of correspondence received from the Hilltown Historical Society regarding a speakers program being held on Thursday, November 15, 1990 at 8:00PM at the John Grasse School.

2. Ms. Buchanan-Gregory stated the Board has received correspondence from the Friends of Bucks County Free Library Samuel Pierce Branch to attend the celebration of the second anniversary of the occupancy of the Library building on Tuesday, November 13, 1990 at 10:00AM to be followed by a coffee hour.

3. The Township has received the monthly Fire Department reports from Souderton Fire Company, Perkasio Fire Company, Telford Fire Company, Dublin Fire Company and the Silverdale Fire Company.



728A

Kevin J. Carney  
927 Route 152  
Perkasie, PA 18944

Hilltown Township  
Board of Supervisors  
Creamery Road  
Hilltown, PA 18927



Attention: Mr. William Bennett/Chairman

Dear Mr. Bennett,

Unfortunately, I am unable to attend this meeting to voice my opinion concerning the rezoning of the parcels of land that we own on Route 309.

- Tax Parcel #15-032-015-002 2.6 acres
- Tax Parcel #15-032-013-001 5.4 acres
- Tax Parcel #15-032-013-002 1.33 acres
- Tax Parcel #15-032-013 .211 acres

As you know, these parcels are presently zoned commercial and I understand that you are considering a rezoning of these parcels to light industrial.

Recently, we went through a long battle with Bucks County Board of Assesments due to an increase of 1100% in our property assesment. After discussing this with Mr. Brosius, at the courthouse, he informed me that the reason for the increase was based on potential of the property and to keep the assesment in line with the price paid for real estate near this location.

I have spoken with a number of people in the real estate and development fields, whose opinions I respect, and contrary to what you may think, this rezoning will only devalue the property.

Furthermore, they all agree that the thirty-three (33) acres involved is entirely too small to develop a feasible industrial center, while it is perfect for numerous commercial uses. Additionally, I noticed on the zoning map dated June 6, 1977 that only about 5% of the industrial zoned real estate is being used, which leaves a tremendous amount of availability left without adding more to it.

Look around at adjoining municipalities and there is a glut of industrial availability that is not being used including an industrial park on Route 309 - Hatfield township, which is only 3% occupied versus the available ground.

I would think that Hilltown Township would want to stimulate growth rather than delay it. Certainly commercial and residential uses are more compatible and easier to stimulate than industrial use when the near future does not show the need for additional industrial use.

728C

I would also like to point out that as of the October 31, 1990 issue of the News Herald, I saw no notice of a re-zoning discussion advertised. I am sure that my neighbors on Route 309, Hilltown Pike and in the Valley View Road development would appreciate having the opportunity to voice an opinion on this matter.

Thank You!

Sincerely,



Kevin J. Carney

7282

Memo To: Lee Buchanan-Gregory, Acting Township Manager  
Hilltown Township  
From: C. Robert Wynn  
Subject: November 12, 1990 Supervisors Meeting  
Escrow Release Summary

1. Grass Subdivision - (Cash Escrow) - Voucher No. 4 in the amount of \$145.68 for const. obs./esc. admin. for period from 7/1/90 thru 10/30/90.
2. Grass Subdivision - (Cash Escrow) - Voucher No. 5 in the amount of \$4,152.87 for installation of street trees.
3. Pritz Subdivision - (Cash Escrow) - Voucher No. 5 in the amount of \$465.47 for const. obs./esc. admin. for the period from 7/24/90 thru 11/6/90.
4. Pritz Subdivision - (Cash Escrow) - Voucher No. 6 in the amount of \$4,474.68 to reduce escrow to required retainage.
5. Solar Atmospheres - Voucher No. 1 in the amount of \$724.14 for const. obs./esc. admin. for the period from 8/1/90 thru 10/30/90.
6. Solar Atmospheres - Voucher No. 2 in the amount of \$27,759.15 for basin const., storm sewer, E&S.
7. Hawk Ridge - Voucher No. 35 in the amount of \$621.64 for installation of signage.
8. Hawk Ridge - Voucher No. 36 in the amount of \$393.72 for const. obs./esc. admin. for period from 10/1/90 thru 10/18/90.
9. Hawk Ridge - Voucher No. 37 in the amount of \$3,715.52 for installation of street trees.
10. Hilltown Village - Voucher No. 1 in the amount of \$1,019.13 for const. obs./esc. admin. for the period from 6/1/90 thru 10/31/90.

Park & Recreation Board  
Hilltown Township

**RECOMMENDATION 90-15**

At a special meeting of the Hilltown Township Park & Recreation Board called on November 5, 1990 by Chairman Bob Wendig the Board unanimously approved a motion to recommend that the Supervisors accept the offer of the Hilltown Civic Association to give the 12 + or - acre Hilltown Civic Association Community Field to the Township subject to the following conditions:

- 1) The Township agrees to donate not less than \$3,000 per year to a scholarship fund to be established and administered by the Hilltown Civic Association. The amount of the donation will be subject to review every five years.
- 2) A deed restriction will be placed on the property to prohibit its' future use for anything other than park and recreational uses.
- 3) The Township agrees to pay the engineers' fee of \$1,300 for the survey and plot plan already made of the property.
- 4) The Hilltown Civic Association will appoint a 3 member work group to work with the Park & Recreation Board to plan improvements to the site.
- 5) The name of the field is to be chosen by the Hilltown Civic Association.